IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 5219 of 2005

Between:

Smt.Boyina Venkatalakshmi, W/o.sole legal representative of Late B.Sambasiva Rao,
D.No.19-191A, Bethavolu, Gudivada, Krishna District.

..... PETITIONER

AND

1 The Special Officer and Commissioner, Municipal Corporation of Hyderabad,

Hyderabad.
2 The Special Deputy Collector, Land Acquisition, Municipal Corporation of

Hyderabad.
3 The Secretary to Government of A.P., Municipal Administration Department,

Secretariat, Hyderabad.
4 The Secretary to Government of A.P., Revenue (Land Acquisition) Department,

Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or a writ, more particularly one in the nature of writ of Mandamus to call for the records and remarks from the Respondents herein relating to (1) award of compensation of Rs.4,64,797/- to the petitoner herein for the land

acquisitioned by the court of 1st Senior Civil Judge, City Civil court, Hyderabad in its' Judgment dated 17-04-1986, passed in O.P.No.256 of 1979, and dismissal of CCCA No.4567 of 1987 filed by the Land Acquisition officer, Municipal Corporation of Hyderabad, Hyderabad by this Hon'ble court (2) deposit of Rs.2,01,323/- by the Judgment -Debtor on 5-3-2004 as against Rs.4,64,797/- due by 4-3-2004, (3) direction of the court of the 1st Senior Civil Judge, City Civil Court, Hyderabad, dated 29-4-2004, to deposit the balance compensation of Rs.2,63,474/- together with further interest, (4) non-payment of the balance compensation amount to the petitioner herein by the Judgment- Debtor for the last 19 years, and to pass appropriate orders, by calling for the records in E.P.No.31 of 1992 in O.P.NO.256 of 1979 on the file of the court of the 1st Senior Civil Judge, City Civil Court, Hyderabad, direct the concerned authorities to deposit Rs.2,76,265/- (inclusive of interest upto 4-3-2005), with further interest @ 15% from 5-3-2005 ion a sum of Rs.85,272-13, which is arrived at as per clauses, 2,3, and 4 of Decree dated 17-4-1986 in O.P.No.256 of 1979 or alternatively, this Hon'ble court to issue confidential instructions to the V Senior Civil Judge, City Civil Court, Hyderabad, to issue final orders on 24-3-2005 as to when the case will listed and pass such other or further orders as this Honourable court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : LETTER

Counsel for the Respondents : GP FOR LAND ACQUISITION

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

In the affidavit in reply filed by the Special Deputy Collector, Land Acquisition, Municipal Corporation of Hyderabad, it is stated that the amount due and payable to the petitioner was deposited on 4.3.2004 and the claim of the petitioner for the balance amount is devoid of any merits.

In the circumstances, we are not inclined to pass any further orders in this writ petition, but, however, reserve liberty to the petitioner to approach the Reference Court and to take out appropriate proceedings in accordance with law, in case, if she still feels that some amount is due and payable.

The writ petition accordingly stands disposed of. No costs.

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DEVINDER GUPTA,CJ

DATE: 30th March, 2005

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B. SESHASAYANA REDDY,J

Pnb

To

1 The Special Officer and Commissioner, Municipal Corporation of Hyderabad,

Hyderabad.
2 The Special Deputy Collector, Land Acquisition, Municipal Corporation of

Hyderabad.
3 The Secretary to Government of A.P., Municipal Administration Department,

Secretariat, Hyderabad.
4 The Secretary to Government of A.P., Revenue (Land Acquisition) Department,

Secretariat, Hyderabad.

5 Two C.Cs. to the GP for Land Acquisition, High Court of A.P., Hyderabad (OUT)

6 Two CD copies.

*Form-NIC-OGS/WP{**JA**}*